

Remarks/Arguments

Reconsideration of this application is requested.

Request for Continued Examination

A request for continued examination (RCE) is enclosed in response to the final Office Action mailed on August 28, 2006.

Claim Status

Claims 1-3, 5-8, 10-12 and 14 are pending. Claims 1, 2 and 10 are amended.

Claim Rejections – 35 USC 103(a)

Claims 1-3, 5-8, 10-12 and 14 are rejected under 35 USC 103(a) as obvious over Council (US 6,192,114) in view of Taylor (US 5,922,071). In response, independent claims 1, 2 and 10 are amended to clearly distinguish over Council and Taylor. In particular, claims 1, 2 and 10 are amended to recite that:

...when the control unit does not accept the request for data transfer, the request for data transfer is printed.

As pointed out in previous remarks, in accordance with the present invention, the decision whether to carry out a data transfer request is based on the network path of the data, i.e., whether an email is received by LAN or Internet. Importantly, as shown in FIG. 4 at step S54 and described at page 5, lines 15-19, if a data transfer request is denied or the transfer fails, a message is printed from printer 16 of facsimile machine 31 at step S54 detailing the circumstances as well as the contents of the data received. This feature provides the advantages of allowing the facsimile machine operator to become aware of transfer failures as well as attempted misuses by third parties.

In contrast, Council provides neither a printer nor a command to print when a request for data transfer is refused. Instead, Council merely teaches that “the computer either causes the message to be discarded or charges a fee... and stores the message in the intended recipient’s mail box” (see Council; col. 3, lines 27-30). Therefore, system administrators and users are left unaware of transfer failures

and attempted misuse by third parties. Taylor is cited in relation to storing delivery conditions and a printer selector and does not remedy the deficiencies of Council.

Since Council and Taylor do not disclose or suggest each and every feature of independent claims 1, 2 and 10, claims 1-3, 5-8, 10-12 and 14 are not obvious over Council and Taylor, and the rejections under 35 USC 103 should be withdrawn.

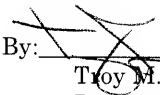
Conclusion

This application is now believed to be in condition for allowance. The Examiner is invited to telephone the undersigned to resolve any issues that remain after entry of this amendment. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,
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By: _____


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